



IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF: Elliot, et al.

CASE: DIA-011115

SERIAL NO.: 09/857,325

FILED ON: February 14, 2002

FOR: PREPARATION AND  
XENOTRANSPLANTATION  
OF PORCINE ISLETS

TRANSMITTAL OF  
INFORMATION  
DISCLOSURE  
STATEMENT  
AFTER TIME PERIOD  
SPECIFIED IN  
37 C.F.R. §1.97

ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington DC 20231

ATTENTION OF:  
AU 3318  
EXAMINER:  
Qian J. Li

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

Applicant submits that the filing of the accompanying information disclosure statement after the period specified in paragraph (b) of 37 C.F.R. 1.97.

Applicant states, as required under 37 C.F.R. 1.97 (c), that the information contained in the information disclosure statement enclosed herewith was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of this information disclosure statement.

Accordingly, Applicant respectfully requests the filing of the accompanying information disclosure statement without fees outlined as 37 C.F.R. 1.17 (p).

FACTOR & PARTNERS, LLC  
1327 W. Washington Blvd., Suite 5 G/H  
Chicago, IL 60607  
(312) 226-1818  
(312) 226-1919 (fax)

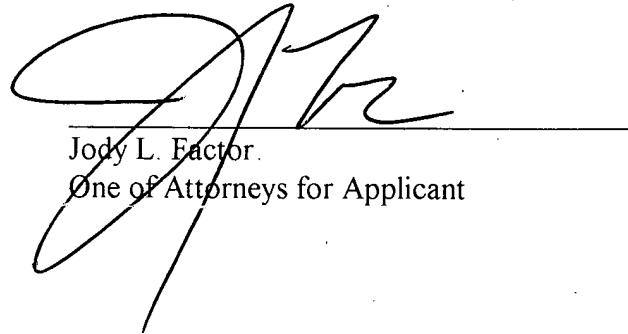
Jody L. Factor  
Jacob D. Koering

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51890

Should anything further be required, a telephone call to the undersigned at (312) 226-1818  
is respectfully invited.

Respectfully submitted,

Dated: 4/17/03



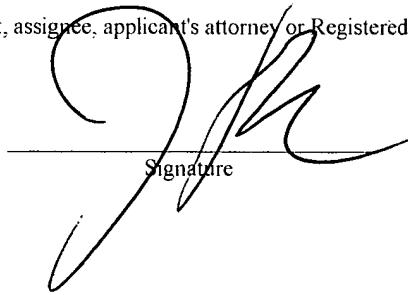
Jody L. Factor  
One of Attorneys for Applicant

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with  
the United States Patent Postal Service as first class mail in an envelope  
addressed to: Assistant Commissioner for Patents, Washington, D.C.  
20231 on 4/17/03

Jody L. Factor

Name of Applicant, assignee, applicant's attorney or Registered Representative



Signature